

Maryland State Police

Licensing Division

ADVISORY

LD-SSU-15-001



April 29, 2015

LICENSURE OF SECURITY GUARD AGENCIES AND SECURITY GUARDS

On April 27, 2015, Governor Larry Hogan, at the request of Baltimore City, signed an Executive Order declaring a State of Emergency and activating the National Guard to address the growing violence and unrest in Baltimore City. As a result, the Maryland State Police Licensing Division is receiving a number of requests and general inquiries concerning the ability of businesses and other commercial entities to use unlicensed private security forces, armed and unarmed, to protect real and personal property. In an effort to provide some guidance in these areas, the below information is being related.

Maryland's Business Occupations and Professions Article, Title 19, requires that any person conducting, or soliciting to conduct a business that provides security guard services in the State, must first be licensed by the Maryland State Police. Additionally, a licensed security guard agency may only employ security guards who have been certified by, or have a pending application for certification with, the Maryland State Police. The requirement that security guard agencies and guards be licensed and/or certified in Maryland before they may offer security guard services in our State in no way limits the ability of any business to utilize its own employees to provide security for its own business.

With regard to armed security, Maryland law generally prohibits the wearing, carrying or transportation of handguns. An exception exists for individuals who have obtained a Maryland handgun carry permit, under Title 5, Subtitle 3, of the Public Safety Article. Additionally, Criminal Law Article § 4-203(b) (6), allows the wearing, carrying or transporting of a handgun by a person on real estate the person owns or leases or where the person resides or within the confines of a business establishment the person owns or leases. Additionally, Criminal Law Article § 4-203(b) (7), allows the wearing, carrying or transporting of a handgun by a supervisory employee

- (i) in the course of employment;
- (ii) within the confines of the business establishment in which the supervisory employee is employed; and
- (iii) when so authorized by the owner or manager of the business establishment.

The Maryland State Police does not have the authority to waive the legal requirements of the State's security guard or handgun carry laws. However, in an effort to accommodate the needs of our citizens, the Department is working with the Maryland Investigators and Security Association Inc. to help facilitate private security needs, as they are articulated.

For a list of licensed security guard agencies or information regarding the wear, carrying and transporting of handguns in Maryland, visit our website at www.mdsp.org. The list of agencies may be found by clicking on the "security guards and agencies" link highlighted in blue from the Licensing Division's main page.